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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,667	07/29/2003	Shigeki Ueda	UEDA3001/EM	5234

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EXAMINER

NGUYEN, HUNG T

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/628,667

Applicant(s)

UEDA ET AL.

Examiner

Hung T. Nguyen

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alan Charles Bickley [GB 2,300,732].

Regarding claim 1, Bickley discloses a window sealing system (8) having a piezoelectric cable (20) for monitoring an object from being dangerously trapped by a closing window [figs.2-4, col.1, lines 21-33, col.2, lines 9-20 and abstract] comprising:

- a flexible piezoelectric cable (20) [figs.2-4, col.4, lines 30-36 and col.5, lines 18-26];
- a mounting portion (9) formed of an elastomeric material is connected with a bulbous portion (17) for holding / securing the cable sensor (20) in a channel (19) [figs.2-4, col.3, lines 4-15, col.4, lines 26-36 and col.5, lines 8-26];
- the bulbous portion (17) having a hollow portion (18) [col.5, lines 18-26];
- the hollow portion (18) is provided a support [figs.2-4, col.5, lines 8-26].

Bickley does not specifically mention “a resilient member” for holding the piezoelectric sensor as claimed by the applicant.

However, the reference of Bickley clearly teaches the mounting portion (9) formed of an elastomeric material which could be a plastic or rubber material for holding the piezoelectric sensor (20) is secured in the vehicle window [figs.2-4, col.5, lines 8-26].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Bickley includes an elastomeric material in the mounting portion as keeping / maintaining the piezoelectric sensor to stay in the properly / correctly position.

Regarding claims 2-3, Bickley discloses the support has a rib (11) shape in the mounting portion and the hollow portion along a pressure sensing direction the piezoelectric sensor [col.2, lines 5-26, col.5, line 34 to col.6, line 13 and abstract].

Regarding claim 4, Bickley discloses the support has a straight rib (11) shape form in the mounting portion and the hollow portion along a pressure sensing direction the piezoelectric sensor [col.2, lines 5-26, col.5, line 34 to col.6, line 13 and abstract] without mention the rib having a zigzagged shape form because that is an obvious design choice of the skilled artisan and it is not a primary subject of the invention.

Regarding claim 5, Bickley discloses the support has a rib (11) of a curved shape in the mounting portion and the hollow portion along a pressure sensing direction the piezoelectric sensor [col.2, lines 5-26, col.5, line 34 to col.6, line 13 and abstract].

Art Unit: 2636

Regarding claim 6, Bickley discloses the support having a plurality of parts is cited in the figs.2-4.

Regarding claim 7, Bickley discloses the mounting portion (9) formed of an elastomeric material is connected with a bulbous portion (17) for holding / securing the cable sensor (20) in a channel (19) [figs.2-4, col.3, lines 4-15, col.4, lines 26-36 and col.5, lines 8-26] and

- the bulbous portion (17) having a hollow portion (18) [col.5, lines 18-26].

Regarding claims 8-10, Bickley discloses a window sealing system (8) having a piezoelectric cable (20) for monitoring an object from being dangerously trapped by a closing window [figs.2-4, col.1, lines 21-33, col.2, lines 9-20 and abstract] comprising:

- a flexible piezoelectric cable (20) [figs.2-4, col.4, lines 30-36 and col.5, lines 18-26];
- a mounting portion (9) formed of an elastomeric material is connected with a bulbous portion (17) for holding / securing the cable sensor (20) in a channel (19) [figs.2-4, col.3, lines 4-15, col.4, lines 26-36 and col.5, lines 8-26];
- the bulbous portion (17) having a hollow portion (18) [col.5, lines 18-26];
- the hollow portion (18) is provided a support [figs.2-4, col.5, lines 8-26].

Bickley does not specifically mention “a resilient member” for holding the piezoelectric sensor as claimed by the applicant.

However, the reference of Bickley clearly teaches the mounting portion (9) formed of an elastomeric material which could be a plastic or rubber material for holding the piezoelectric sensor (20) is secured in the vehicle window. [figs.2-4, col.5, lines 8-26].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Bickley includes an elastomeric material in the mounting portion as keeping / maintaining the piezoelectric sensor to stay in the properly / correctly position.

Regarding claims 11-12, Bickley discloses the mounting portion (9) formed of an elastomeric material is connected with a bulbous portion (17) for holding / securing the cable sensor (20) in a channel (19) [figs.2-4, col.3, lines 4-15, col.4, lines 26-36 and col.5, lines 8-26] and the mounting portion (9) formed of an elastomeric material which could be a plastic or rubber material for holding the piezoelectric sensor (20) is secured in the vehicle window [figs.2-4, col.5, lines 8-26].

Regarding claim 13, Bickley discloses the mounting portion (9) formed of an elastomeric material is connected with a bulbous portion (17) for holding / securing the cable sensor (20) in a channel (19) [figs.2-4, col.3, lines 4-20 and col.5, lines 18-30].

Regarding claim 14, Bickley discloses the piezoelectric sensor is made form material of polyvinylidene fluoride [figs.2-4, col.1, lines 18-20].

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

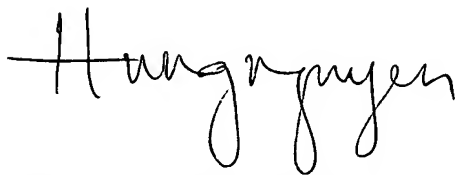
- Richter et al. (U.S. 4,943,757) Safety apparatus for a motor driven window.
- Yaguchi (U.S. 5,051,672) Automatic window / door system.
- Oshima et al. (u.S. 5,907,213) Piezoelectric cable and wire harness using the same.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982.

The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.



Examiner: Hung T. Nguyen

Date: Nov. 4, 2004